

**Communication To Record Substance Of Interview**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: March 23, 2011

Electronic Signature for Nicole R. Pruett: /Nicole R. Pruett/

Docket No.: H28240  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
David Sperduti et al.

Application No.: 10/825,088

Confirmation No.: 7165

Filed: April 15, 2004

Art Unit: 3687

For: Proximity Transaction Apparatus and  
Methods of Use Thereof

Examiner: O. G. Ade

**COMMUNICATION TO RECORD SUBSTANCE OF INTERVIEW**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Remarks/Arguments** begin on page 2 of this paper.

**REMARKS**

A telephone interview was conducted on March 18, 2011 between the applicants as represented by George S. Blasiak and Examiner O. G. Ade.

Applicants argued in the interview that independent claims 28-39 were not substantively rejected with numerous elements of independent claims 28, 33, 35 not substantively addressed. The Examiner did not provide any argument in opposition to the argument of the applicant. The Examiner indicated that the Final Office action of November 15, 2011 would be replaced with a new office action with the rejections of claims 28-39 substantiated. The new office action would provide a new time period for response by the applicants which would supersede the time period for response of the November 15, 2011 Office action. The examiner indicated that the new Office action would be designated as Non-Final if the rejections of the new Office action relied on one or more new prior art reference.

Applicants believe no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0289.

Dated: March 23, 2011

Respectfully submitted,

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